

1995; to the Committee on Governmental Affairs.

EC-1701. A communication from the Chairman of the Board of Directors of the Panama Canal Commission, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC-1702. A communication from the Chairman of the Federal Housing Finance Board, transmitting, pursuant to law, the Inspector General's report for the six-month period ending September 30, 1995; to the Committee on Governmental Affairs.

EC-1703. A communication from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC-1704. A communication from the Administrator of the General Services Administration, transmitting, a draft of proposed legislation to amend the Federal Property and Administrative Act of 1949, as amended, (40 U.S.C. 484(j)) to authorize the Administrator of General Services to transfer title surplus personal property the State agencies for surplus property for donation to eligible donees without Federal restrictions; to the on Governmental Affairs.

EC-1705. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the semi-annual report of the Inspector General and the Management Response for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC-1706. A communication from the Chairman of the Consumer Product Safety Commission, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC-1707. A communication from the Director of the Peace Corps, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC-1708. A communication from the Chairman of the National Credit Union Administration, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC-1709. A communication from the Chairman and General Counsel of the National Labor Relations Board, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC-1710. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC-1711. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. D'AMATO, from the Committee on Banking, Housing, and Urban Affairs, with an amendment in the nature of a substitute:

S. 650. A bill to increase the amount of credit available to fuel local, regional, and national economic growth by reducing the regulatory burden imposed upon financial institutions, and for other purposes (Rept. No. 104-185).

By Mr. WARNER, from the Committee on Rules and Administration, without amendment:

H.R. 2527. A bill to amend the Federal Election Campaign Act of 1971 to improve the electoral process by permitting electronic filing and preservation of Federal Election Commission reports, and for other purposes.

H.J. Res. 69. A joint resolution providing for the reappointment of Homer Alfred Neal as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 110. A joint resolution providing for the appointment of Howard H. Baker, Jr. as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 111. A joint resolution providing for the appointment of Anne D'Harnoncourt as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 112. A joint resolution providing for the appointment of Louis Gerstner as a citizen regent of the Board of Regents of the Smithsonian Institution.

By Mr. WARNER, from the Committee on Rules and Administration, with an amendment and with a preamble:

S. Con. Res. 34. A concurrent resolution to authorize the printing of "Vice Presidents of the United States, 1789-1993".

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. ROTH, from the Committee on Finance:

Joshua Gotbaum, of New York, to be an Assistant Secretary of the Treasury.

Jeffrey R. Shafer, of New Jersey, to be an Under Secretary of the Treasury.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

By Mr. HATCH, from the Committee on the Judiciary:

Merrick B. Garland, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit.

(The above nomination was reported with the recommendation that he be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. GRAMS:

S. 1478. A bill to facilitate the ability of a private consortium to site, design, license, construct, operate, and decommission a private facility for the interim storage of commercial spent nuclear fuel, subject to licensing by the Nuclear Regulatory Commission, to authorize the Secretary of Energy to contract with the consortium for storage services, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SARBANES (for himself and Ms. MIKULSKI):

S. 1479. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to improve control of acid mine drainage, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. BOXER (for herself and Mr. HARKIN):

S. 1480. A bill to provide for the comparable treatment of Federal employees and Members of Congress and the President during a period in which there is a Federal Government shutdown; to the Committee on Governmental Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRAMS:

S. 1478. A bill to facilitate the ability of a private consortium to site, design, license, construct, operate, and decommission a private facility for the interim storage of commercial spent nuclear fuel, subject to licensing by the Nuclear Regulatory Commission, to authorize the Secretary of Energy to contract with the consortium for storage services, and for other purposes; to the Committee on Energy and Natural Resources.

THE PRIVATE INTERIM STORAGE FACILITY AUTHORIZING ACT OF 1995

• Mr. GRAMS. Mr. President, on the heels of today's Senate Energy and Natural Resources Committee hearing on legislation to amend the Nuclear Waste Policy Act, I am introducing legislation to privatize the Federal spent fuel interim storage program. It is my understanding that the House plans to act on similar legislation before the Christmas recess. Today's hearing, coupled with the introduction of my bill should provide the impetus for timely action in the full Senate.

When the Energy Committee held a hearing on various nuclear waste policy proposals earlier this year, all of our witnesses agreed that the "1998" date is critical in this debate. With 1996 only a few weeks away, the deadline is rapidly approaching and we are no closer to resolving this issue than the last time Congress enacted nuclear waste legislation [1987].

But it is not like we haven't seen this deadline coming. For 16 years, the Department of Energy has been charged with the responsibility of our civilian spent fuel. In that time, DOE has spent nearly \$5 billion of ratepayers' money—including over \$250 million from Minnesota's electric customers. And yet here we sit, debating the issue of exactly what to do with America's civilian nuclear waste.

But the Department of Energy just continues to go round in circles. First, they said we can store waste at Yucca Mountain; then they tell us we can't force it on Nevada. Then DOE says they can't meet the 1998 deadline—and even claim they aren't legally bound to do so; then they tell us they can, if only Congress would "untie" their hands. The latest was that an interim facility couldn't be complete for 7 years at a cost of nearly \$400 million; then their testimony says it could be

done in 4 at a third of the cost. It is hard to tell what is truth and what is fiction for the DOE anymore. It is my hope that today's hearing will help us find out.

For the past few months, I have met with and carefully reviewed reports and studies by the General Accounting Office, independent groups, former DOE employees, and even former Energy Secretary Watkins on this issue. I found there is strong support for removing the civilian waste program from DOE—and that support grows even stronger when we focus specifically on privatizing the interim storage program.

After years of working on this issue with Minnesota's ratepayers, utilities and State officials, I am convinced that privatizing the interim storage program remains our last, best hope for getting waste out of Minnesota and the other 30 plus States which are struggling with this issue.

Later today, I will be introducing the Private Interim Storage Facility Authorizing Act of 1995. My legislation targets one small—but key—component of the overall Federal nuclear waste program.

Privatizing the interim waste storage program offers three key benefits—it saves money, it provides relief to States such as Minnesota that are faced with on-site storage restrictions, and it protects the environment.

And as with most initiatives, privatizing the interim storage program would improve efficiency and lower costs to the taxpayers. Based upon the business plan for the Mescalero private initiative, a private interim facility could be completed for approximately \$135 million and done in time to meet the 1998 deadline.

That is hundreds of millions of dollars less than what the Office of Civilian Radioactive Waste Management originally quoted earlier this summer. And while DOE has revised its estimates downward in recent weeks, it is only because of the undisputable cost data for the Mescalero project.

Competition always reduces costs, particularly when it is with the Federal Government—the Mescalero project is proof of that. With the Mescalero initiative moving forward while congressional action has stalled—some have asked if this venture could resolve the interim issue. The short answer would be “yes,” in fact, 20 utilities are now participating in this private venture.

But Congress and the DOE have the legal responsibility to resolve this issue. And we have the responsibility of ensuring it is done by 1998.

Mr. President, I believe focusing on the interim storage privatization not only represents a workable option, but it also provides a “win-win” for ratepayers, for States, and for the environment. Therefore, I would encourage my colleagues to join with me in cosponsoring the Private Interim Storage Facility Authorizing Act of 1995.●

By Mr. SARBANES (for himself and Ms. MIKULSKI):

S. 1479. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to improve control of acid mine drainage, and for other purposes; to the Committee on Energy and Natural Resources.

THE ACID MINE DRAINAGE ABATEMENT ACT OF 1995

Mr. SARBANES. Mr. President, today I am introducing legislation, together with my colleague, Senator MIKULSKI, to help address a serious pollution problem—acidic runoff from abandoned coal mines—which continues to degrade the water quality of our Nation's rivers and streams. My legislation would provide States with increased flexibility to utilize their allocations under the Abandoned Mine Reclamation Fund for environmental remediation activities.

Abandoned mine drainage is the unfortunate legacy of coal mining in the years before environmental laws were enacted requiring coal companies to reclaim mined land. After the coal was extracted, the land was left riddled with coal waste, known as gob piles, and pock-marked with holes. The mining activity also unearthed sulfur compounds and metals such as aluminum, manganese and iron. When exposed to the elements, the sulfur compounds produce sulfuric acid which in turn leaches metal loads into the streams, poisoning the water and killing fish and plant life. There are in excess of 7,600 miles of streams in 11 States that are adversely affected by abandoned mine drainage.

In the Appalachian region, which suffers the most serious mine drainage problems, the acidic runoff has left a major segment of our Nation's river, the Potomac River, virtually devoid of life. Much of the North Branch of the Potomac, from its headwaters near Kempton, MD, to the Jennings Randolph Lake, is biologically dead. Nearly 700 miles of the North Branch's streams are currently incapable of supporting fish and other aquatic life because of the drainage. Along this stretch of the Potomac there are over 4,000 acres of abandoned mine lands, including the worst offender, Kempton Mines, which discharges approximately 3 million gallons of abandoned mine drainage each day.

The Surface Mining Control and Reclamation Act of 1977 [SMCRA] established a regulatory program for current mining activities requiring land reclamation and control of acid drainage at active mine sites to assure that today's mines do not become tomorrow's abandoned mines. It also established an abandoned mine land reclamation [AML] fund, paid for by a fee imposed on current mining production, to address problems caused by abandoned coal mines. Current law and regulations require that priority be placed on alleviating public health and safety problems posed by abandoned mine lands. However, States are authorized

to set aside up to 10 percent of their allocations under the AML fund annually into a special account for addressing adverse environmental effects caused by abandoned mine acid drainage. These funds are insufficient to clean up the acid mine drainage problems.

My bill would provide greater flexibility for States to use existing abandoned mine reclamation funds for acid mine drainage, as well as health and safety problems. Specifically, it would increase from 10 to 30 percent, or \$1 million, whichever is greater, the portion of a State's AML funds that could be set aside for addressing environmental problems caused by acid drainage.

Mr. President, great progress has been made in restoring the health of America's rivers in the 3 decades since President Lyndon Johnson vowed to make the Potomac a national model for restoring the Nation's waters. Today, much of the Potomac is a haven for fish and wildlife and provides tremendous recreational and economic opportunities. However, the North Branch of the Potomac remains in marked contrast to these improvements. The States of Maryland and West Virginia and the Interstate Commission on the Potomac River Basin have been working together in a cooperative effort to restore the North Branch's health, thereby improving the quality of life and opening new opportunities for economic development, tourism and outdoor recreation. Unfortunately, the job cannot be accomplished without the assistance made available under this legislation. The North Branch of the Potomac is only one of many areas that could greatly benefit from improved environmental conditions made possible by this measure.

I urge my colleagues to join me in supporting this bill in order to provide States with the flexibility and additional resources needed to better address environmental problems associated with acid mine drainage.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1479

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Acid Mine Drainage Abatement Act of 1995”.

SEC. 2. ACID MINE DRAINAGE.

Section 402(g) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(g)) is amended—

(1) in paragraph (6)—

(A) by striking “either” and all that follows through “trust fund” and inserting “a special trust fund”; and

(B) by striking “1995,” and all that follows through the end of the paragraph and inserting “1995.”; and

(2) by striking paragraph (7) and inserting the following:

“(7)(A) Any State may receive and retain, without regard to the 3-year limitation referred to in paragraph (1)(D), amounts up to the greater of \$1,000,000 or 30 percent of the total of the grants made annually to the State under this subsection if the amounts are deposited in an acid mine drainage abatement and treatment fund established under State law under which the amounts (together with all interest earned on the amounts) are expended by the State to undertake acid mine drainage abatement and treatment projects.

“(B) A project that is funded out of an acid mine drainage abatement and treatment fund under subparagraph (A) shall provide for the abatement of the causes of the treatment of the effects of acid mine drainage from lands and waters that are eligible under section 404.”.

ADDITIONAL COSPONSORS

S. 953

At the request of Mr. CHAFEE, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 953, a bill to require the Secretary of the Treasury to mint coins in commemoration of black revolutionary war patriots.

S. 969

At the request of Mr. BRADLEY, the names of the Senator from Iowa [Mr. GRASSLEY] and the Senator from North Carolina [Mr. HELMS] were added as cosponsors of S. 969, a bill to require that health plans provide coverage for a minimum hospital stay for a mother and child following the birth of the child, and for other purposes.

S. 1212

At the request of Mr. COATS, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 1212, a bill to provide for the establishment of demonstration projects designed to determine the social, civic, psychological, and economic effects of providing to individuals and families with limited means an opportunity to accumulate assets, and to determine the extent to which an asset-based welfare policy may be used to enable individuals and families with low income to achieve economic self-sufficiency.

S. 1251

At the request of Mr. HATFIELD, the names of the Senator from Hawaii [Mr. INOUE], the Senator from Illinois [Mr. SIMON], the Senator from Nebraska [Mr. KERRY], and the Senator from Maryland [Ms. MIKULSKI] were added as cosponsors of S. 1251, a bill to establish a National Fund for Health Research to expand medical research programs through increased funding provided to the National Institutes of Health, and for other purposes.

S. 1344

At the request of Mr. HEFLIN, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 1344, a bill to repeal the requirement relating to specific statutory authorization for increases in judicial salaries, to provide for automatic annual increases for judicial salaries, and for other purposes.

S. 1470

At the request of Mr. MCCAIN, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of S. 1470, a bill to amend title II of the Social Security Act to provide for increases in the amounts of allowable earnings under the Social Security earnings limit for individuals who have attained retirement age, and for other purposes.

AMENDMENTS SUBMITTED

THE FOREIGN RELATIONS REVITALIZATION ACT OF 1995

HELMS (AND KERRY) AMENDMENT NO. 3100

Mr. HELMS (for himself and Mr. KERRY) proposed an amendment to the bill (S. 908) to authorize appropriations for the Department of State for fiscal years 1996 through 1999 and to abolish the United States Information Agency, the United States Arms Control and Disarmament Agency, and the Agency for International Development, and for other purposes; as follows:

On page 27, strike lines 4 through 13.

On page 27, line 14, strike “(e)” and insert “(c)”.

On page 28, line 7, strike “(f)” and insert “(d)”.

On page 28, line 9, strike “(a) through (c)” and insert “(a) and (b)”.

Beginning on page 46, strike line 21 and all that follows before line 15 on page 50.

On page 58, line 18, strike “that effectively” and insert “designed to”.

On page 58, line 25, strike “that” and insert “designed to”.

On page 59, line 6, insert “relevant” after “other”.

On page 61, line 21, strike “15” and insert “5”.

On page 61, line 22, strike “authorize” and insert “initiate, expand, or modify”.

On page 61, line 24, strike the parenthesis and all that follows through the parenthesis on page 62, line 2.

On page 62, line 17, strike “15” and insert “5”.

Beginning on page 69, strike line 1 and all that follows through line 5 on page 73 and insert the following:

SEC. 216. RESTRICTIONS ON INTELLIGENCE SHARING WITH THE UNITED NATIONS.

The United Nations Participation Act of 1945 (22 U.S.C. 287 et seq.) is amended by adding at the end the following new section:

“SEC. 12. RESTRICTIONS ON INTELLIGENCE SHARING WITH THE UNITED NATIONS.

“(a) PROVISION OF INTELLIGENCE INFORMATION TO THE UNITED NATIONS.—(1) No United States intelligence information may be provided to the United Nations or any organization affiliated with the United Nations, or to any officials or employees thereof, unless the President certifies to the appropriate committees of Congress that the Director of Central Intelligence (in this section referred to as the ‘DCI’), in consultation with the Secretary of State and the Secretary of Defense, has established and implemented procedures, and has worked with the United Nations to ensure implementation of procedures, for protecting from unauthorized disclosure

United States intelligence sources and methods connected to such information.

“(2) Paragraph (1) may be waived upon written certification by the President to the appropriate committees of Congress that providing such information to the United Nations or an organization affiliated with the United Nations, or to any officials or employees thereof, is in the national security interests of the United States.

“(b) PERIODIC AND SPECIAL REPORTS.—(1) The President shall report semiannually to the Select Committee on Intelligence and the Committee on Foreign Relations of the Senate and the Permanent Select Committee on Intelligence and the Committee on International Relations of the House of Representatives on the types and volume of intelligence provided to the United Nations and the purposes for which it was provided during the period covered by the report. The President shall also report to the Select Committee on Intelligence and the Committee on Foreign Relations of the Senate and the Permanent Select Committee on Intelligence and the Committee on International Relations of the House of Representatives within 15 days after it has become known to the United States Government that there has been an unauthorized disclosure of intelligence provided by the United States to the United Nations.

“(2) The requirement for periodic reports under the first sentence of paragraph (1) shall not apply to the provision of intelligence that is provided only to, and for the use of, appropriately cleared United States Government personnel serving with the United Nations.

“(c) DELEGATION OF DUTIES.—The President may not delegate or assign the duties of the President under this section.

“(d) RELATIONSHIP TO EXISTING LAW.—Nothing in this section shall be construed to—

“(1) impair or otherwise affect the authority of the Director of Central Intelligence to protect intelligence sources and methods from unauthorized disclosure pursuant to section 103(c)(5) of the National Security Act of 1947 (50 U.S.C. 403-3(c)(5)); or

“(2) supersede or otherwise affect the provisions of title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.).

“(e) DEFINITION.—As used in this section, the term ‘appropriate committees of Congress’ means the Select Committee on Intelligence and the Committee on Foreign Relations of the Senate and the Permanent Select Committee on Intelligence and the Committee on International Relations of the House of Representatives.”.

Beginning on page 73, strike line 6 and all that follows through line 5 on page 74.

On page 74, line 6, strike “SEC. 218.” and insert “SEC. 217.”.

On page 75, line 13, strike “SEC. 219.” and insert “SEC. 218.”.

On page 77, line 14, strike “SEC. 220.” and insert “SEC. 219.”.

On page 84, strike lines 23 and 24.

On page 85, line 1, strike “(2)” and insert “(1)”.

On page 85, line 3, strike “(3)” and insert “(2)”.

On page 85, line 4, strike “(4)” and insert “(3)”.

On page 85, line 6, strike “(5)” and insert “(4)”.

Beginning on page 87, strike line 8 and all that follows through line 17 on page 88 and insert the following:

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Human Rights Committee established under the International Covenant on Civil and Political Rights should revoke its General Comment No. 24 adopted on November 2, 1994.